

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

MSI Energy, LLC, and  
Peter O. Crowell

v.

Civil No. 07-cv-308-PB

BancBoston Leasing  
Services, Inc.

**O R D E R**

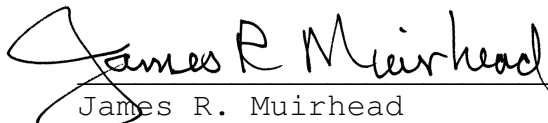
Having considered defendant's Emergency Motion to Post Security (document no. 8) ("Emergency Motion"), and plaintiffs' objection thereto, it is hereby ordered:

1. Good cause is shown to shorten the time to object to defendant's Emergency Motion, because (i) the relief requested relates to a closing contemplated for Friday, October 26, 2007; (ii) plaintiffs' counsel has been served with, and has actual notice of, the motion and defendant's request for emergency relief, and (iii) the parties were heard on the Emergency Motion by telephone conference on October 23, 2007.

2. Defendant is granted leave and is ordered to deposit with the Clerk of the United States District Court for the District of New Hampshire, in the name and to the credit of this

Court, the sum of \$1,275,000.00 from the proceeds of the closing referenced in the Emergency Motion (the "deposited funds"), pursuant to 28 U.S.C. § 2041. See United States District Court for the District of New Hampshire Local Rule ("LR") 67.2(a). The deposited funds shall be invested in the Court Registry Investment System ("CRIS"), administered through the United States District Court for the Southern District of Texas, in a separate account established for this case. See LR 67.2(b) (providing procedures for management of security deposits). Defendant and its officers and agents are ordered to make the deposit immediately after the closing. A registry fee of ten percent (10%) of the earnings on the deposited funds shall be deducted as appropriate without further order of this court. See LR 67(c). The deposited funds correspond to the amount of the attachment that plaintiffs had sought in state court, prior to removal of this action here. The deposited funds shall serve as security for plaintiffs' claims in this action.

**SO ORDERED.**

  
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James R. Muirhead  
United States Magistrate Judge

Date: October 24, 2007

cc: Stephanie A. Bray, Esq.  
Andru H. Volinsky, Esq.